

**Minutes of Meeting  
Grafton Planning Board  
August 29, 2016**

A regular meeting of the Grafton Planning Board was held on August 29, 2016 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Michael Scully, Vice-Chair Robert Hassinger, Clerk David Robbins, Linda Hassinger, and Tracy Lovvorn. Absent from the meeting was Associate Member Sharon Carrol-Tidman. Staff present was Town Planner Joseph Laydon and Assistant Planner Ann Morgan and Office Manager Nicole Larson.

Chairman Scully called the meeting to order at 7:00 p.m.

**ITEM 1: PUBLIC INPUT**

No public input at the time.

**ACTION ITEM 2A: REQUEST FOR APPROVAL NOT REQUIRED (ANR 2016-11) – 25 TRINITY AVE – GRAFTON WATER DISTRICT (APPLICANT) / SCOTT B. LAMONT & MARGARET W. HAYNES (OWNER)**

Mr. Laydon noted the margining of the water property by way of the ANR along with a deed restriction. He noted that the plan would not be creating a buildable lot and that staff does endorse the plan.

**MOTION** by Mr. Robbins, **SECOND** by Mr. Hassinger, to find that approval is not required and authorize staff to sign the Mylar. **MOTION** carried unanimously 5 to 0.

**ACTION ITEM 2B: DRAFT DECISION: MODIFICATION OF A SPECIAL PERMIT (SP 2014-9.1) & SITE PLAN APPROVAL – BORREGO SOLAR (APPLICANT) / CHRISTY PEASE (OWNER) – 79 OLD UPTON ROAD**

Mr. Laydon noted that due to the increased work load of staff, this decision will need to be postponed to the following meeting on September 12, 2016.

**ACTION ITEM 2C: REQUEST FOR MINOR MODIFICATION TO LANDSCAPE & LIGHTING PLAN – HILLTOP SELF STORAGE – 100 MILFORD ROAD – ROCCO ADDEO (APPLICANT) / HILLTOP SELF STORAGE OF GRAFTON LLC (OWNER)**

Mr. Laydon noted that the Planning Department received a legal letter today from Flynn Law Group regarding the settlement pertaining to the landscaping and lighting plan. After discussing the letter with Town Counsel, he suggested that the Board hold off on any current discussion on this project in order to not engage in conversation that would put the Board at risk for taking part in preemptive deliberation. He noted that the applicant is currently scheduled for a Public Hearing on September 12, 2016 to Request a Modification to the existing Special Permit and Site Plan Approval and suggest that any conversation on this project be tabled until that Public Hearing.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Robbins, to table the request for a request for a minor modification to the landscape and lighting plan for Hilltop Storage at the advice of Town Staff and Counsel. **MOTION** carried unanimously 5 to 0.

**MEETING MINUTES FROM PLANNING BOARD MEETING ON AUGUST 22, 2016  
3D:**

Mr. Robbins noted that he did watch the video of the meeting, though he was not present at the meeting. He noted one suggested under Item 1A.

**MOTION** by Mr. Robbins, **SECOND** by Mrs. Hassinger, to approve the amended minutes from August 22, 2016. **MOTION** carried unanimously 5 to 0.

**BILLS 3A:**

The bills were circulated and signed.

**ITEM 4: REPORTS FROM PLANNING BOARD REPRESENTATIVES ON TOWN  
COMMITTEES AND CMRPC**

Mr. Hassinger noted informed the Board on the discussion held at the last Central Mass Regional Planning Commission (CMRPC) meeting on August 9, 2016 and presented details on the five-year investment program, known as STIP, which allocates federal and non-federal funds for improvements to local infrastructure transit systems, as well as bicycle and pedestrian facilities. He noted the potential effects on local government non-federal STIP funding may have.

Mr. Robbins updated the Board on the Community Preservation Committee (CPC) meeting last week. He noted there are no CPC proposals for October Town Meeting.

Mrs. Hassinger noted that the Library Planning & Building Committee is close to awarding the selection of an architect plan as submitted by potential applicants.

**ACTION ITEM 2D: DRAFT ZONING BYLAW LANGUAGE: CONSIDERATION OF  
LANGUAGE REGARDING SPECIAL PERMIT FINDINGS AND TOWN MEETING  
APPROVED USES.**

Mr. Laydon noted that the Board of Selectmen will be submitting the article to amend the use table for municipal uses to be voted on at October Town Meeting. They are seeking to amend all Special Permit requirements to Site Plan Approval. Mr. Hassinger noted the upcoming deadline for scheduling a Public Hearing for the article.

Mr. Hassinger noted that without Planning Board endorsement for scheduling a Public Hearing, the article would be passed over at Town Meeting. The Board discussed the timeline requirements for submitting a legal ad for publication. Mr. Laydon noted that he would suggest that the Board entertain the Public Hearing in the hopes to receive information that could better the proposal's intention.

**MOTION** by Mrs. Hassinger, **SECOND** by Mr. Robbins, to advertise for a Public Hearing to discuss the amendment on September 26, 2016. **MOTION** carried unanimously 5 to 0.

**PUBLIC HEARING 5A: (7:15 P.M.) SPECIAL PERMIT (SP 2016-3) & SITE PLAN  
APPROVAL – “SUPER PARK” RECREATIONAL FACILITIES - TOWN OF  
GRAFTON (APPLICANT/OWNER) – 4-6 UPTON STREET.**

Present for the hearing was Jennifer Thomas, Chairman of Board of Selectmen and Super Park Committee, who noted she was there following staff's request. Mr. Laydon noted that there a few items still in motion and that the items of focus are being narrowed down, the revised plans

should be presented to Conservation on September 20, 2016 then come before the Board on September 26, 2016.

Mr. Robbins noted that he will be unavailable on the proposed date; however at staff's review of attendance, he will be available to Mullin in for the missed meeting.

The Board discussed the progression of the Public Hearing over the last few months with Mr. Laydon and Mrs. Thomas. Mr. Hassinger noted that plans with suggested minor changes were never submitted by the applicant's engineer. Mr. Robbins noted that due to the applicant's plans needing approval by the Conservation Commission, the applicant would still be a stand still regardless of an approval from the Planning Board. He noted that it seems the applicant is close to being able to submit a revised plan with all required details and that the requirement of those details is only meant to hold the applicant to the same standards as any other applicants which come before the Board.

**MOTION** by Mr. Robbins, **SECOND** by Mrs. Hassinger, to accept the applicant's written request to continue the Public Hearing to September 26, 2016. **MOTION** carried unanimously 5 to 0.

**PUBLIC HEARING 5C: (7:30 P.M.) SPECIAL PERMIT (SP 2016-11) & SITE PLAN APPROVAL - ACCESSORY APARTMENT - LAYTH ALKADADY (APPLICANT/OWNER) - 56 FITZPATRICK ROAD.**

Mr. Scully opened the Public Hearing and Mr. Robbins read the Legal Notice for the Public Hearing. Present for the hearing was applicant Layth Alkadady, of 56 Fitzpatrick Road. Mr. Alkadady explained to the Board that there was a permit with the previous owner, which he would like to reissue while adding more living space to the garage area, with no intention on adding to the bedroom count. Mr. Laydon noted that there are outstanding requests for the meeting the criteria of Title 5 regulations. Mr. Hassinger noted that this accessory apartment is only allowed for family use.

Thomas Tassinari, of 54 Fitzpatrick, Road spoke to the Board and noted his support for the family only accessory apartment, while expressing his concern with the neighborhood becoming open to rental property. He also noted that the applicant had issues with the septic system in the past, which the applicant noted have been since resolved. With that said, Mr. Tassinari added that himself and the adjacent neighbor, Mr. Holmes of 58 Fitzpatrick Road couldn't be in attendance, however is also in support of the family accessory apartment based on the satisfaction of the noted concerns.

**MOTION** by MR. Robbins, **SECOND** by Mrs. Hassinger, to close the Public Hearing and instruct staff to draft a decision based on the discussion heard. **MOTION** carried unanimously 5 to 0.

**PUBLIC HEARING 5E: (7:30 P.M.) SPECIAL PERMIT (SP 2016-12) & SITE PLAN APPROVAL - ACCESSORY APARTMENT - RICHARD & LESLIE ST. JEAN - 5 SIBLEY STREET.**

Mr. Scully opened the Public Hearing and Mr. Robbins read the Legal Notice. Present for hearing was Leslie St. Jean of 5 Sibley Street spoke to the Board on her intent for family only within the proposed accessory apartment for her parents as well as the need for the extended care for her special needs son. She also noted that though the occupancy permit has been received

from the Building Department in error, she has waited to move her family into the apartment until the Board has issued a decision in respect to the correct process of gaining an approval.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Robbins, to close the hearing and direct staff to draft a decision based on the testimony received tonight. **MOTION** carried unanimously 5 to 0.

**PUBLIC HEARING 5F: (7:30 P.M.) MAJOR RESIDENTIAL SPECIAL PERMIT (MRSP 2016-4) – “THE RIDINGS” SUBDIVISION – STEVEN VENINCASA CASA BUILDERS & DEVELOPER’S CORP. (OWNER/APPLICANT) – 88 ADAMS ROAD.**

Mr. Laydon noted that the applicant has submitted a continuance for the Public Hearing.

**MOTION** by Mr. Robbins, **SECOND** by Mrs. Hassinger, to accept the applicant’s written request to continue the Public Hearing to September 26, 2016.

Mr. Hassinger noted that the new information on this applicant have been received, however, he hopes to see further updates submitted before the September 26, 2016 Public Hearing.

**MOTION** carried unanimously 5 to 0.

**PUBLIC HEARING 5B: (7:30 P.M.) SPECIAL PERMIT (SP 2016-10) & SITE PLAN APPROVAL – PROPOSED WIRELESS COMMUNICATION FACILITY APPLICATION – U.S. WIRELESS, INC. AND VERTICAL BRIDGE (APPLICANT) / TOWN OF GRAFTON (OWNER) – 104 CREEPER HILL ROAD.**

See attached notes.

**MOTION** by Mr. Robbins, **SECOND** by Mr. Hassinger, to grant the applicant’s written request to continue the Public Hearing to October 3<sup>rd</sup>, 2016. **MOTION** carried unanimously 5 to 0.

**PUBLIC HEARING 5D: (7:30 P.M.) MODIFICATION OF A SPECIAL PERMIT (SP 2015-13.2) & SITE PLAN APPROVAL – MODIFY SPECIAL PERMIT DECISION AND SITE PLAN – CEC SOLAR #1056 LLC (APPLICANT) / ROBERT & KAREN KELL (OWNERS) – 207 PROVIDENCE ROAD.**

Present for the Hearing was Greg Carey with CEC Solar, and Bob Field from Field Engineering. Mr. Carey noted the previous project plan included an access road through the existing National Grid easement on the Kell’s property, which they have not been able to obtain approval from National Grid for. The applicant has come up with a new site plan with a new access road with the help of the Grafton Fire Department. The applicant has submitted a modified Stormwater Permit Applicant to Conservation Commission, which has been review by Town Peer Review and been approved. Mass DOT has reviewed the new plans and approval has been received. Abutters to the north of the Kell’s property have also approved the new plans. Mr. Laydon noted the one comment from the Fire Department and Building Department was noted on the Technical Review minutes from August 23, 2016 both pertinent to slope and paving requirements for the access road. Mr. Laydon noted that the new access road will leave more screening along the area where the originally proposed access road once was planned to be.

**MOTION** by Mr. Robbins, **SECOND** by Mr. Hassinger, to close the Public Hearing and direct staff to draft a decision based on the testimony received. **MOTION** carried unanimously 5 to 0.

**STAFF REPORT 3B:**

Mr. Laydon informed the Board on the following:

- Positive references have been received on 2 leading applicants for the North Grafton Transit Project.
- VHB has been contacted to gain access from the Fisherville Mill Site to begin work collecting research for the project there.
- September 29, 2016 will be the date for the Economic Development Committee has scheduled a workshop for local business owners and collect feedback for later review by the Board of Selectmen.
- The department is preparing for Office Manager's maternity leave.
- The Affordable Housing Trust is meeting with the Board of Selectmen on September 20, 2016 to present the draft of their action plan for a 5 year projection for development. The Planning Board will be one of the key boards to review that plan, likely in early November.
- Mass Housing has sent their letter to Board Members in response to the application for Wheeler Road and encourages the preservation of Open Space.

Mr. Hassinger noted that CMRPC is having their quarterly meeting on September 8, 2016.

**CORRESPONDENCE 3C:**

Mr. Laydon noted the Charter Review Committee's Agenda for the upcoming meeting. The Board discussed the potential outcomes of the meeting's agenda item to change the Planning Board's Membership from elected positions to appointed positions. Mr. Hassinger noted that the committee discussed that topic at the August 11, 2016 meeting and was unable to find the video on the GCTV website. After inquiring he found that the video had been requested to be taken down per the Town Administrator's request. The Board Members directed staff to request a copy of the video from the Town Administrator's Office for immediate viewing in order to get a sense of the creation of the proposal before the September 15, 2016 Charter Review Committee meeting. The Board also requested an item be placed on the September 12, 2016 Planning Board Agenda to discuss this item moving forward.

**ITEM 6: ANY OTHER ITEMS WHICH MAY LAWFULLY COME BEFORE THE BOARD**

None at this time.

**ITEM 7: ADJOURNMENT**

**MOTION** By Mr. Robbins, **SECOND** by Ms. Lovvorn, to adjourn the meeting. **MOTION** carried unanimously 5 to 0.

The meeting was adjourned at 10:48 p.m.

## **EXHIBITS**

- Action Item 2A: Request For Approval Not Required (ANR 2016-11) – 25 Trinity Ave – Grafton Water District (Applicant) / Scott B. Lamont & Margaret W. Haynes (Owner); Includes the following:
  - Form A Application for Endorsement of Plan Believed Not To Require Approval; Signed by owner on August 22, 2016; Received on August 23, 2016; 1 Page.
  - Affidavit; No Date; Received on August 23, 2016; 1 Page.
  - Certificate of Good Standing; Signed by Treasurer/Collector's Office on August 22, 2016; Received on August 23, 2016; 1 Page.
  - Plan of Land; Prepared By Graz Engineering, LLC; 18" x 24"; Black and White; Dated June 29, 2016; Received on August 23, 2016; 1 Page.
- Action Item 2C: Request For Minor Modification To Landscape & Lighting Plan – Hilltop Self Storage – 100 Milford Road – Rocco Addeo (Applicant) / Hilltop Self Storage Of Grafton LLC (Owner); Includes the following Received on August 18, 2016:
  - Letter to the Planning Board; Request for Modification of Special Permit and Site Plan Approval; No Date; 1 Page.
  - Landscape & Lighting Plan; Prepared By Andrews Survey & Engineering, Inc.; 11" x 17"; Black and White; Revised Date August 5, 2016; 1 Page.
  - Landscape & Lighting Plan; Prepared By Andrews Survey & Engineering, Inc.; 11" x 17"; Black and White; Revised Date April 28, 2016; 1 Page.
- Action Item 2D: Draft Zoning Bylaw Language: Consideration Of Language Regarding Special Permit Findings And Town Meeting Approved Uses; Correspondence; Re: Proposed Warrant Article; Received From Doug Willardson, Assistant Town Administrator; Dated August 25, 2016; Received on August 25, 2016; 1 Page.
- Agenda for Charter Review Committee; Dated by Town Clerk on August 26, 2016; Received August 29, 2016; 1 Page.
- Letter of Correspondence; Re: Fieldstone Farms, Grafton Project Eligibility/Site Approval Project #835; Received From Timothy C. Sullivan, Executive Director of Massachusetts Housing Finance Agency; Dated August 11, 2016; Received August 24, 2016; 7 Pages.
- Graves Engineering, Inc. Peer Review; Subject: Estates at Bull Meadow, Appaloosa Drive Wetlands Bylaw Regulations and Stormwater Regulations Review; Dated August 18, 2016; Received August 18, 2016; 4 Pages.
- Meeting Minutes From Planning Board Meeting On August 22, 2016; Dated August 29, 2016; No Received Date; 4 Pages.
- Public Hearing 5B: (7:30 P.M.) Special Permit (SP 2016-10) & Site Plan Approval – Proposed Wireless Communication Facility Application – U.S. Wireless, Inc. And Vertical Bridge (Applicant) / Town Of Grafton (Owner) – 104 Creeper Hill Road; Includes the following:
  - Graves Engineering, Inc. Peer Review; Subject: Grafton US-MA-5025, 104 Creeper Hill Road Cell Tower Special Permit and Site Plan Review; Dated August 24, 2016; Received August 24, 2016; 2 Pages.
  - Letter of Correspondence; Wireless Facility Permit Application Review: 104 Creeper Hill Road Grafton, Massachusetts; Received By David Maxson, WCP of Isotrope Wireless; No Date; Received on August 25, 2016; 5 Pages.
  - Plan of Land; Submitted By Metrowest Engineering, Inc.; 11" x 17"; Black and White; Dated August 18, 2016; Received August 19, 2016; 1 Page.

- Photographic Inventory & Simulations; prepared by Seidel Planing & Design Land Solutions; 8 ½" X 11"; color; No Date; Received on August 29, 2016; 17 pages.
- Public Hearing 5C: (7:30 P.M.) Special Permit (SP 2016-11) & Site Plan Approval - Accessory Apartment - Layth Alkadady (Applicant/Owner) - 56 Fitzpatrick Road; Includes the following:
  - Application for Special Permit; Signed by Layth Alkadady On July 20, 2016; Received July 22, 2016; 1 Page.
  - Application for Site Plan Approval; Signed by Layth Alkadady On July 20, 2016; Received July 22, 2016; 1 Page.
  - Certificate of Good Standing; Signed by Treasurer/Collector's Office on July 1, 2016; Received on July 22, 2016; 1 Page.
  - Certified Abutters List; Signed by Assessor's Office on July 11, 2016; Received July 22, 2016; 1 Page.
  - Project Narrative; Re: Accessory Apartment; Received By Layth Alkadady; Dated July 20, 2016; Received July 22, 2016; 1 Page.
  - Waiver Request List; Received By Layth Alkadady; No Date; Received July 22, 2016; 1 Page.
  - GIS Locus Plan; Scale: 1" = 2040'; 8.5" x 11"; Color; Printed July 22, 2016; Received July 22, 2016; 1 Page.
  - GIS Locus Plan; Scale: 1" = 74'; 8.5" x 11"; Color; Printed May 10, 2016; Received July 22, 2016; 1 Page.
  - Floor Plans; Submitted By Gallant Architecture; 11" x 17"; Black and White; Dated July 22, 2016; Received July 22, 2016; 2 Pages.
  - Existing Conditions Photos; Submitted By Gallant Architecture; 11" x 17"; Color; Dated July 22, 2016; Received July 22, 2016; 1 Page.
  - Interdepartmental Review Email Correspondence; Re: SP 2016-11; Received By Grafton Board of Health; August 3, 2016; Received on August 3, 2016; 1 Page.
  - Interdepartmental Review Email Correspondence; Re: SP 2016-11; Received By Grafton Zoning Board of Appeals; August 1, 2016; Received on August 1, 2016; 1 Page.
- Public Hearing 5D: (7:30 P.M.) Modification Of A Special Permit (SP 2015-13.2) & Site Plan Approval – Modify Special Permit Decision And Site Plan – CEC Solar #1056 LLC (Applicant) / Robert & Karen Kell (Owners) – 207 Providence Road; Includes the following:
  - Application for Modification of a Special Permit; Signed by Greg Carey on July 25, 2016 and Karen Kell On July 27, 2016; Received July 27, 2016; 1 Page.
  - Application for Modification of a Site Plan Approval; Signed by Greg Carey on July 25, 2016 and Karen Kell On July 27, 2016; Received July 27, 2016; 1 Page.
  - Letter of Correspondence; Proposed Site Development, CEC Solar #1056 LLC 207 Providence Road Modification to Site Plan Approval/Special Permit; Received By Richard R. Riccio III, P.E. of Field Engineering Co., Inc.; Dated July 26, 2016; Received on July 27, 2016; 1 Page.
  - Certified Abutters List; Signed by Assessor's Office on June 14, 2016; Received July 27, 2016; 1 Page.
  - Certificate of Good Standing; Signed by Treasurer/Collector's Office on June 10, 2016; Received on July 27, 2016; 1 Page.

- Site Drawings; Prepared By Field Engineering Co., Inc.; 11” x 17”; Black and White; Dated July 22, 2016; Received on July 27, 2016; 13 Pages.
- Interdepartmental Review Email Correspondence; Re: 207 Providence Road; Received By Grafton Board of Health; August 3, 2016; Received on August 3, 2016; 1 Page.
- Interdepartmental Review Email Correspondence; Re: Modification of Special Permit SP 2015-13.2; Received By Grafton Conservation Commission; August 4, 2016; Received on August 4, 2016; 1 Page.
- Interdepartmental Review Email Correspondence; Re: Modification of Special Permit SP 2015-13.2; Received By Grafton Police Department; August 5, 2016; Received on August 5, 2016; 1 Page.
- Letter of Correspondence; Received By John Kell of 203 Providence Road; No Date; Received on August 8, 2016; 1 Page.
- Graves Engineering, Inc. Peer Review; Subject: Proposed Site Development, CEC Solar #1056 LLC 207 Providence Road Modification to Special Permit, Site Plan Review and Stormwater Management Permit; Dated August 5, 2016; Received August 5, 2016; 2 Pages.
- Site Layout Plan; Submitted By Field Engineering Co., Inc.; 11” x 17”; Black and White; Revised August 23, 2016; Received August 24, 2016; 1 Page.
- Presentation Summary Email Correspondence; Received By Greg Carey of CEC Solar, LLC; August 26, 2016; Received August 26, 2016; 2 Pages.
- Public Hearing 5E: (7:30 P.M.) Special Permit (SP 2016-12) & Site Plan Approval - Accessory Apartment - Richard & Leslie St. Jean - 5 Sibley Street; Includes the following:
  - Application for Site Plan Approval; Signed by Leslie St. Jean on July 29, 2016; Received July 29, 2016; 1 Page.
  - Application for Special Permit; Signed by Leslie St. Jean on July 29, 2016; Received July 29, 2016; 1 Page.
  - Certificate of Good Standing; Signed by Treasurer/Collector’s Office on July 27, 2016; Received on July 29, 2016; 1 Page.
  - Certified Abutters List; Signed by Assessor’s Office on July 29, 2016; Received July 29, 2016; 1 Page.
  - Project Narrative; Re: In Law Suite / Accessory Apartment at 5 Sibley St Grafton, MA; Received By Leslie and Richard St. Jean; Dated July 27, 2016; Received July 29, 2016; 1 Page.
  - Waiver Request List; No Date; Received July 29, 2016; 2 Pages.
  - Site Plan; 8.5” x 11”; Black and White; Revised May 5, 2015; Received July 29, 2016; 1 Page.
  - GIS Locus Plans; Scale: 1” = 258’; 8.5” x 11”; Color; Printed July 27, 2016; Received July 29, 2016; 2 Pages.
  - First Floor Plan; Submitted By JCF Designs; 11” x 17”; Black and White; Dated June 1, 2015; Received July 29, 2016; 1 Page.
  - Interdepartmental Review Email Correspondence; Re: Special Permit SP 2016-12; Received By Grafton Board of Health; August 3, 2016; Received on August 3, 2016; 1 Page.



- Interdepartmental Review Email Correspondence; Re: Special Permit SP 2016-12; Received By Grafton Conservation Commission; August 4, 2016; Received on August 4, 2016; 1 Page.
- Public Hearing 5F: (7:30 P.M.) Major Residential Special Permit (MRSP 2016-4) – “The Ridings” Subdivision – Steven Venincasa Casa Builders & Developer’s Corp. (Owner/Applicant) – 88 Adams Road; Includes the following:
  - Email Correspondence; From: Joe Laydon, Grafton Town Planner; To: James Tetreault and Steven Venincasa; Dated August 25, 2016; 1 Page.
  - Letter of Correspondence; Received By James Tetreault, PE of Thompson-Liston Associated, Inc.; Dated August 22, 2016; Received on August 24, 2016; 1 Page.
  - “The Ridings” Conventional Plan Preliminary Subdivision in Grafton, MA; Submitted By Thompson-Liston Associates, Inc.; 11” x 17”; Black and White; Revised August 15, 2016; Received August 24, 2016; 25 Pages.

**These minutes were approved by the Planning Board on: (DATE)**